PETITION FOR ZONING VARIANCE S/S Carroll Manor Road, 167.2'

W of Devonfield Road \* DEPUTY ZONING COMMISSIONER (4513 Carroll Manor Read) 11th Election District \* OF BALTIMORE COUNTY 6th Councilmanic District

Charles F. Haugh, III, et ux Petitioners

\* Case No. 88-483-A

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 15 feet to the property line in lieu of the required 50 feet. as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 4513 Carroll Manor Road, is zoned R.C.5 and was the subject of a previous variance hearing in Case No. 88-47-A in which a variance to permit a setback of 31 feet to the center of the road in lieu of the required 75 feet was granted on July 30, 1987. The Petitioners testified that the addition proposed and permitted in that case turned out not to be feasible and as a result, they revised their plans and now propose constructing an addition in accordance with that shown on Petitioner's Exhibit 1. Testimony indicated that the proposed addition is necessary to provide more habitable space and to replace a deteriorated portion of the original structure, which is over 100 years old. Due to the unique characteristics of the property and the location of the water well, the proposed addition cannot be built without requiring a variance. The Petitioners testified they spoke to their neighbors about their plans and that the neighbors indicated they have no objection.

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines

Date: 3/25/88

Mr. & Mrs. Charles F. Haugh, III 4513 Carroll Menor Road Baldwin, Maryland 21013

> Petition for Zoning Variance CASE NUMBER: 86-483-A S/S Carroll Menor Road, 187.2' W of Devonfield Road (4513 Carroll Memor Road) 11th Election District - 8th Councilmenic District Petitioner(s): Cherles F. Heugh, III, et ux HEARING SCHEDULED: THURSDAY, JUNE 9, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Haughs

Please be advised that \( \frac{9/00.95}{100.95} \) is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND No. 52735 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	and post set(s), there for each set not
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PROM: Parles Flaugh III: et uf	NES sioner of inty
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Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of June, 1988 that the Petition for Zoning Variance to permit a side yard setback of 15 feet to the property line in lieu of the required 50 feet, be and is hereby GRANTED, subject, however, to the following restrictions:

> The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The variance granted in previous Case No. 88-47-A is hereby rescinded as of the date of this Order.

NOTICE OF HEARING The Zoning Commissioner of Bal-

timore County, by authority of the Zoning Act and Regulations of Balti-more County will hold a public

earing on the property identified arran in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing Case number: 88-483-A 5/5 Carroll Manor Road, 167.2' W of Devonfield Road (4513 Carroll Manor Road)

th Councilmanic District Petitioner(s): Charles F. Haugh, III, et ux

Hearing Date: Thursday, June 9, 1968 at 9:00 a.m. Variance to permit a side setback of 15 feet to the property line in lieu of the required 50 feet.

of the required 50 feet.

In the event that this Pestion is inted, a building permit may be study within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTICE OF HEALING

The Zorung Commissioner of Baltimore County, by authority of the Zorung Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County will have a like with the County at 111 W.

Petition for Zoning Variance Case number: 85-483-A

5/5 Carroll Manor Road, 16/2 W of Devonfield Road (4513 Carroll Mano: Road) 11th Election District — 6th Councilmana: District

Hearing Date: Thursday, June 9, 1988 at 9:00 a.m.

Vanance to permit a side sethack of 15 seet to the property line in heu of the required 50 seet. In the event that this Petition is

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said permit during this period for good cause shown. Such request must be in writing and received in

larviand as fellows:

J. ROBERT HAINES

Debuty Zoning Commissioner

"DUPLICATE" CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on

THE JEFFERSONIAN.

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., May 18, 1988 THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each

\$52.20

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines Zoning Commissioner

Mr. Charles F. Haugh III 4513 Carroll Manor Road Baldwin, Maryland 21013

RE: PETITION FOR ZONING VARIANCE S/S Carroll Manor Road, 167.2' W of Devonfield Road 11th Election District; 6th Councilmanic District Case No. 88-483-A

Dear Mr. Haugh:

AMN:bjs

Enclosure

cc: People's Counsel

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted subject to the restrictions noted in the attached Order.

June 13, 1988

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

> Very truly yours, ( MNokumic ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Dennis F. Rasmuseen County Exercise

Petition For Zoning Variance

Zoning Description

Beginning in the center of Carroll Manor Road 167.20 feet West of Devonfield Road and running thence South 17°53' East, 253.45 feet; thence South 49355' West, 75 feet; thence North 3150' West, 338.85 feet to the center of Carroll Manor Road; thence North 89 35' East, 158.29 feet to the point of beginning. Containing 0.728 acres of land.

CERTIFICATE OF POSTING POMING DEPARTMENT OF BALTIMORE COUNTY our Charles F. Haugh III, stur Location of property: 5/5 GTTTOIL MOYOU Rd. 16712 W/DOVEY FIRE HJ13 Corroll Mone R& Sime Ferry Carrell Moundly comes 5 fr fordury on property of Petition Date of return 5/27/87 Mistealy

PETITION FOR ZONING VARIANCE #346 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and and a part hareof, hereby petition for a Variance from Section \_\_ 1 A04:1:B:3 to permit a side sectack of 15 feet to the property line in lieu of the required 50 feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. Existing structure which is over 100 years old has an existing side setback of 32 feet to the property line. 2. A two story addition is needed to provide more habitable space and to replace a portion of the original deteriorated structure. 3. Well location limits placement on the lot. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: W NE ME Legal Owner(s): Charles F. Haugh, III, D.V.M. (Type or Print Name) 0.116 (Type or Print Name) Challes F. Hand II MIE POLULA Jean M. Haugh (Type or Print Name) City and State frior casa Attorney for Petitioner: 4513 GARBOLL MANOR RD 592-7278
Address Phone No. E-27, 340 City and State ALTIMORE COUNTY, MARYLAND FFICE OF FINANCE - REVENUE DIVISION ISCELLANEOUS CASH RECEIPT

I HEREDY CERTIFY THAT THE POSITION OF ALL! THE EXISTING IMPROVEMENTS SHOWN ON THE DELOW PESCRIPS PROPERTY HAS BEEN CAREFULLY ESTAULT HED BY FIELD Survey AND ARE LOCATED AS SHOWN. PROFESSIONAL LAND SURVEYOR RUSSELL R. KLAGES LIC. HO. 3685 CARROLL MANOR N 09' 25'E 158.29' -eval of zo.b's ASPHALT NOAP MICIPITY MAP O BRICK STEPS 1 2 STORY SIDING 1 STORY ADDITION Scale 11TH DISTRICT AC5 ZONE

THIS SURVEY IS FOR TITLE PURPOSES ONLY & IT IN NOT

FILING FEE FOR VARIANCE ITEM 346

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FILE HO. 83-69

VALIDATION OR SIGNATURE OF CASHIER

AVAILABLE FOR HEARING (over)

or of this petition be advertised, as spers of general circulation through-isc hearing be had before the Zoning ice Building in Towson, Baltimore

19.88, at 9 o'clock

W.O. & N.T. 1094

Baltimore County
Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

## NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 88-483-A S/S Carroll Menor Road, 167.2 W of Devonfield Road (4513 Carroll Menor Road) 11th Election District - 6th Councilmenic District Petitioner(s): Charles F. Haugh, III, et ux HEARING SCHEDULED: THURSDAY, JUNE 9, 1988 at 9:00 a.m.

Variance to permit a side setback of 15 feet to the property line in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

Charles F. Haugh, III, et ux

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke

April 5, 1988

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Re: Property Owner: Charles F. Haugh, III, et ux

Location: S/S Carroll Manor Rd., 167.2' W. of Devonfield Road

Item No.: 346

Zoning Agenda: Meeting of 3/29/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ( $_{\rm X}$ ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

Special Inspection Division

BARIMORE COUNTY, MARYAND

INTER-OFFICE CORRESPONDENCE

TO J. Robert Haines	
Zoning Commissioner	Date May 16, 1988
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FROM P. David Fields, Director Office of Planning and Zoning

SUBJECT\_Zoning Petitions #88-480-A, 88-481-A, 88-482-A, 88-483-A, 88-483-A, 88-483-A, 88-483-A, 88-492-A, 88-493-A, 88-495-SpHA, 88-498-A, 88-499-A, 88-500-A, 88-503-A, 88-504-A, 88-505-A

> There are no comprehensive planning factors requiring comments on these petitions.

PDF/jat

ZONING OFFICE

CC: Charles D. Haugh, III, et up

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 17, 1988

COUNTY OFFICE BLDG. 111 M. Chesapeake Ave. Towson, Maryland 21204

MEMBERS

Department of Traffic Engineering

State Roads Commission

Bureau of Engineering

Bureau of

Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Industrial Development

Zoning Administration

Mr & Mrs. Charles F. Haugh, III, D.V.M. 4513 Carroll Manor Road Baldwin, Maryland 21013

> RE: Item No. 346 - Case No. 88-483-A Petitioner: Charles F. Haugh, III, D.V.M., et ux Petition for Zoning Variance

Dear Mr. & Mrs. Haugh:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received. I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Zoning Plans Advisory Committee

JED:dt

Enclosures

Baltimore County Department of Public Works
Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204

May 6, 1988

Mr. J. Robert Haines Zaning Commissioner County Office Building Towson, Haryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, (46) and 347.

Very truly yours.

Stephen E. Weber. P.E. Assistant Traffic Engineer

SEW/RF/pm1-b

88-483-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 23rd day of March , 1983.

Charles F. Haugh, III, Attorney

Received by:

Advisory Committee